

**SAN BENITO COUNTY
GRAND JURY REPORT
2016-2017**



Nicole Dye

**Nicole Dye, Foreperson
San Benito County Civil Grand Jury, 2016-2017**

Date: 8-22-2017

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FOREPERSON LETTER



San Benito County Civil Grand Jury 2016/2017 Hollister, CA 95024

The San Benito County Civil Grand Jury is a body of local citizens that are interested in improving the effectiveness of San Benito County agencies, special districts and public individuals that are supported by your tax dollars.

An interested citizen can become a member of the Civil Grand Jury by submitting an application. The application is then submitted to the Presiding Judge of the Superior Court. An interview is then scheduled with the Judge. Qualified applicants will then be selected by lottery, to determine the 19 members that will be sworn in. The 19 jurors will serve a term for one year.

The jurors are assigned a primary committee responsibility, and a secondary committee. The committees review possible areas of investigation, and then, suggested areas of investigation go before the entire Grand Jury for approval. It takes the approval of at least 12 jurors to authorize an investigation.

Investigations consist of interviews, site visits, review of documents and other supporting material. Many investigations will come from citizens' complaints.

At the conclusion of an investigation, the committee will then publish a report giving their findings and recommendations for improvement. This report will go before the entire Grand Jury for approval. All reports included in the 2016-2017 Grand Jury Report were passed and adopted with at least 12 jurors on August 9, 2017.

As current Foreperson of the San Benito County Civil Grand Jury, I thank all of the members of the Civil Grand Jury for 2016-2017 for their diligence in their investigations. My thanks to the Honorable Judges Sanders and Tobias of the Superior Court for their guidance and support. My appreciation also goes to Gil Solorio CEO of the court, and Maria Alfaro his Assistant.

Respectfully submitted,

Foreperson 2016-2017
San Benito County Civil Grand Jury

San Benito County Grand Jury Members (2016-2017)

- Nicole Dye, Foreperson
- Margie Alvarez
- Wendy Bearschild
- Scott Brock
- Tim Burns
- Eric Carlson
- Nancy Clement
- Mimi Cooper
- William Dye
- Walter Espinoza
- Mary Haro
- John Kiesewetter
- Jerry Marquez
- Debra Morris
- Norma Ortiz
- Mayra Quezada
- Keith Riddle
- Hector J. Santos

Other Jurors contributing to this report (unable to finish term):

- Lauren Amaral
- Lindsay Arata
- Deborah Brown
- Richard Castro
- Shelley Clerk
- Stacy Jenkins
- Eyvonne Ortiz
- Brianna Sanchez
- Toby Smieciuch
- Matthew Walter
- Michael Wedekind
- Yvonne Yurek

Response Required

San Benito County Grand Jury 2016-2017

A response is required to the reports herein within the time limits and form as prescribed by California Penal Code §933. Relevant paragraphs from Section 933 are quoted below for respondents' guidance.

Time Limits for Responses

California Penal Code 933(c) requires that:

No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility ... shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

Form of Responses

California Penal Code 933.05 requires that:

For the purpose of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

The respondent agrees with the finding.

The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.

For the purpose of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one the following actions:

The recommendation has been implemented, with a summary regarding the implemented action.

The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

Report Response Timelines

San Benito County Grand Jury 2016-2017

City of Hollister Police Department, Animal Control Division

Responses Due:

- *City of Hollister Office City Council (response required within 90 days)
- *City of Hollister Office Police Department (response required within 60 days)
- *San Benito County Office Board of Supervisors (response required within 90 days)

San Benito County Juvenile Hall Review

Responses Due:

- *San Benito County Office Board of Supervisors (response required within 90 days)
- *San Benito County Chief Probation Officer (response required within 60 days)

San Benito County Jail Review

Responses Due:

- *San Benito County Office Board of Supervisors (response required within 90 days)
- *San Benito County Sheriff (response required within 60 days)

Send Your Response To:

Honorable Steven R. Sanders, Presiding Judge
San Benito County Superior Court
450 Fourth Street, Hollister, CA 95023

THE HOLLISTER POLICE ANIMAL CARE AND SERVICES DEPARTMENT

SAN BENITO COUNTY CIVIL GRAND JURY REPORT

2016-2017

SUMMARY

The San Benito Civil Grand Jury formed a committee and conducted an investigation into the Hollister Police and Animal Care and Services Department. The Grand Jury found that the rates of euthanasia at the shelter are high and that some members of the community are not satisfied with the operation of the shelter. The Grand Jury has looked in-depth at some areas that could be improved upon to possibly help reduce euthanasia rates and to help the shelter operate more efficiently.

BACKGROUND

The Hollister Police Animal Care and Services Department (Animal Control) is located at 1331 South Street, Hollister, Ca. 95023.

Animal Control is responsible for impounding stray or lost animals, cruelty investigations, rabies control, dog license sales, lost pet reports, euthanasia services, administering the animal adoption program, 24 hour emergency services, enforcing local and state ordinances, educational programs and operation of the animal shelter.

METHODOLOGY

A committee of the Grand Jury visited Animal Control on April 13, 2017 to tour the facility and interview on-site staff.

The Grand Jury requested documents from the Hollister Police Department relating to the Animal Control Department for the year 2016. The Grand Jury had requested the documents in early February and received documents on May 16, 2017 and May 23, 2017. Some of the requested documents were never received or not received in their entirety. The delay in receiving the documents hindered the Grand Jury in producing the report in a timely manner. The lack of the documents requested or in their entirety hindered the quality of the report.

Documents

Fatal Plus Solution Receipts for the year 2016

Fatal Plus Solution administration log. 12/23/2015-1/13/2017

Tallow Company animal disposal receipts. 10/25/2016-11/15/2016

Previous contract between San Benito County and Animal Hospital of Hollister that ended 6/30/2015.

Hollister Police Department Animal Care and Services organizational structure.

Hollister Animal Shelter Duty Manual.

Kennel Statistics Report for All Areas Intakes from 1/1/2016-12/31/2016

City of Hollister Police Department Animal Control Bureau Budget

DISCUSSION

- Animal Shelter Operation
- Animal Control Facility
- Animal Control Personnel
- County Veterinarian Contract
- The Volunteers
- Adoption
- Rescue Groups
- Reclaiming Animals
- Behavioral Testing
- Euthanasia
- Animal Disposal
- Fundraising and Donations

Animal Shelter Operation

The Animal Shelter is open Monday thru Friday from 12:00pm-5:00pm which is subject to closure for emergencies. It is closed Saturday, Sunday and Holidays but on-call 24 hours, 7 days a week for emergencies. Although there is staff on-site Monday thru Friday from 8:00am-5:00pm as well as one staff member on the weekend to clean animal enclosures, feed and water.

Animal Control Facility

The Facility is clean and well kept. There is a reception desk in front for the public and paw prints leading to the different animal enclosures. There are least 34 cages for cats in 4 separate areas. The cat areas are separated by quarantine, nursing mothers and kittens, feral cats and adoptable cats. There is another area for dogs which can house 40 dogs comfortably with an indoor and outside enclosure. If there was an increase in the amount of dogs taken in, the individual enclosures could be separated into 2 and expanding capacity to 80 enclosures. Quarantined or potentially dangerous dogs are kept in the back and are off limits to the public. There are also the small animals that are up front in the reception area in individual cages, such as hamsters and birds.

The animal enclosures are cleaned once a day. Cleaning entails picking up animal feces, washing, disinfecting and providing clean bedding. All enclosures and litter boxes were very clean and all the

animals had water. All animals are fed once a day with food from the shelter and donations from the public.

Other areas at the shelter include administrative, laundry room, break room, food and supply rooms, euthanasia room, outside dog enclosure, night kennels, storage for deceased animals, and parking for vehicles and adoption trailer.

The facility was nowhere near full capacity with the amount of dogs at the time of our visit. The Grand Jury was told that it ideally likes to keep only 20 dogs because of the amount of cleaning required to house them. Staff indicated the amount of food or cost to house was not a factor as they have plenty of donations and sufficient budget.

Animal Control Personnel

Ideally the Animal Shelter would like to have 1 Supervisor, 3 full time Animal Control Officers, 1 part time Community Service Officer, and 1 part time Kennel Helper. In early 2017 a new Supervisor was employed after the last had retired after 20 years. There is a high turnover rate and it is hard to keep these positions filled and have adequate staffing. Officers at the Animal Shelter are employed with the Hollister Police Department and work in the division of Animal Control. In addition to police training they receive euthanasia training and certification.

County Veterinarian Contract

Currently there is no contract between San Benito County and a veterinarian. The previous contract between San Benito County and the Animal Hospital of Hollister expired 6/30/2015. The shelter still uses the Animal Hospital of Hollister for medical issues or obtaining euthanasia drugs. If the Animal Hospital of Hollister is unavailable for services any local licensed veterinarian can be contacted.

The Volunteers

The Animal Shelter will accept volunteer applications and perform a background check on all applicants. Volunteers must then be trained and are able to help with duties such as cleaning and socializing with animals. Volunteers can work Monday thru Friday and must always be under officer supervision.

The Animal Shelter does get a lot of volunteers but they do not typically stay on for very long. During the Grand Jurys tour we were told one of the reasons so many volunteers quit is because of the high euthanasia rates at the shelter. At the time they had 4-5 steady volunteers that work mostly 12-5pm sometimes earlier. In the past they have had up to 13 volunteers.

Adoption

Prospective adopters may select a pet, fill out and submit an adoption application. The application will be either approved or denied based on certain criteria such as owning a home, landlord approval, fenced yard, children, whether they want the pet spayed or neutered and other animals already in the home. The pet must also pass a behavioral test before it will be able to be released to an adopter.

Once the applicant is approved and if the pet has passed its behavioral test the appropriate fees must be paid. The fee varies from animal to animal depending on the sex, amount of vaccinations needed, microchip, and if the pet is already spayed or neutered. Purebred animals must be spayed or neutered before leaving. Other animals will receive a certificate for a spay/neuter from the specified veterinarians and must be spayed or neutered by the expiration date.

The Animal Shelter does have a trailer with kennels to transport animals and occasionally goes out to various events in the community to find potential adopters. In July of 2017 the trailer was used at an adoption event in downtown Hollister. Of the 11 animals brought, 9 were adopted that day.

In the year 2016 a total of 2,945 animals came into the shelter. Of the 2,945 animals only 274 animals were adopted by the public. A little more than 9%.

Rescue Groups

Rescue groups have helped the Animal Shelter as a liaison for the animals in the shelter to find homes. The Animal Shelter will reach out to many various rescue organizations that are for purebred animal rescue and have the necessary 501c paperwork. These groups have been instrumental in caring for and placing these animals in good homes. A total of 519 animals were taken in by these rescue groups in 2016, which is a little over 17% and close to double the public adoption figures.

Reclaiming Animals

The shelter receives animals in many ways as strays, left in the night kennels or confiscated. If the owner is unknown the animals are checked for microchips or tags as well as reaching out on social media (Facebook) for any information. If the owner is identified they must pay the impound and boarding fee's for the animal. The rabies vaccinations must be current as well as the license before the animal is released. Payment plans are an option for the public.

The shelter will keep animals for 5 days not including the day of impoundment. In the case of cats determined feral, they can be euthanized immediately.

Behavioral Testing

The Animal Shelter euthanized a total of 1,411 animals in 2016. 462 of the animals were euthanized for behavior which does not include feral animals. 184 cats, 138 kittens, 139 dogs and 1 puppy failed a behavior test or for behavior history.

Officers at the Animal Shelter do conduct behavioral testing on animals but unlike Monterey and Santa Clara counties, San Benito County does not have an Animal Behaviorist. The behavioral testing is done by an officer of the Animal Shelter who has no certified training in animal behavior. The Grand Jury asked for the checklist of the behaviors observed and tested for. The Grand Jury was told there is no test or checklist, it is left to the discretion of the officer whether it is pass/fail. The Grand Jury asked what would be the age group considered for puppies and kittens, is it 3 months, 4months? The Grand Jury was told they do not have specific age groups but upon examining the kennel statistics there are

statistics for dogs, puppies, cats and kittens. The Grand Jury does not have an answer on these specific age groups in their relation to behavioral testing.

Euthanasia

The Animal Shelter is responsible for all of the on-site euthanasia. All officers employed at the Animal Shelter must perform euthanasia. Officers must complete the 8 hour euthanasia training and be certified in euthanasia.

The vials of euthanasia solution (Fatal Plus Solution) are purchased from a licensed county veterinarian. For the year of 2016 Animal Control purchased 26 bottles of 250 ml. Fatal Plus Solution totalling \$1565.87. The amount is capable for the euthanasia of 65,000lbs of animals, 1cc of solution per 10lbs of body weight.

Cats are euthanized in their kennel and dogs inside the euthanasia room. Catch poles, nets and other methods are used as well as muzzles if necessary, sedatives are rarely if ever used. The Grand Jury was told that they do not weigh the animals prior to euthanasia but estimate. The Grand Jury asked if there has ever been cases where an animals weight was underestimated and were told yes, there have been cases. The officer tries to over estimate the weight to ensure a peaceful humane death of the animal and to not place the officer under additional stress of experiencing the failed euthanasia attempt. The next step when the initial dose does not kill the animal is to administer an additional dose in order to complete the euthanasia.

1,411 euthanizations were performed by officers in 2016. An average of 118 animals a month with only 5 officers able to do the procedure. The Grand Jury was concerned about the emotional toll that this takes on the officers and were told that it is stressful and there are mental health services available for the officers. The Grand Jury asked if this made it difficult for the officers to work here and were told there is a very high turnover rate.

The majority of dogs and cats are euthanized for behavior issues and cats being feral. Animals are euthanized regularly throughout the week and placed in barrels for Tallow Co. to pick up on Friday's. Officers try to rotate days so that they are performing euthanasia equally.

Animal Disposal

All of the counties animal disposal services are provided by San Jose Tallow Co. Services. This includes the pick up of deceased wild animals through out the county as well as a weekly pick up of barrels of animals that were euthanized at the shelter.

For the year of 2016 there were 50 barrels of 1,411 euthanized animals taken for disposal.

Fundraising and Donations

The shelter receives many donations of food and money throughout the year. There is also a black tie fundraiser annually in December that brings in \$4,000-\$5,000 usually.

FINDINGS

F1) The Animal Shelters adoption figures are incredibly low. 274 animals were adopted by the public for the year 2016. The Animal Shelter is open to the public Monday thru Friday 12-5pm. With such limited hours during the typical work days and being closed weekends it is difficult for everyone who wants to adopt an animal or reclaim their animal to be there in this time frame.

F2) There was a small amount of dogs up for adoption at the time of our visit and no where near full capacity.

F3) There are only 4-5 steady volunteers helping at the Animal Shelter leaving officers to perform duties that a volunteer is capable of.

F4) High turnover rate for officers employed at the Animal Shelter, largely in part to having to euthanize mass amounts of animals.

F5) The figures for euthanasia are incredibly high, 1,411 animals were euthanized in 2016 (this figure does not include public requests) 48% of all animals coming in the shelter will be euthanized. The Animal Shelter does not hold adoption fairs. The adoption trailer has only been used a small amount at events in town. Although when used they have proven successful at getting animals adopted and increasing foot traffic in the shelter later.

F6) The Grand Jury learned that the shelter does not weigh animals prior to euthanasia. There have been cases in the past where there has been an underestimate of weight resulting in having to administer 2 doses to complete euthanasia. This causes concern of whether the animal was granted a humane and peaceful death. It also is a concern of the additional stress this may cause the officer aside from the already stressful event that is euthanasia.

F7) The Jury learned that officers at the Animal Shelter are conducting behavioral tests on the animals with no certification in animal behavior.

F8) Behavioral tests are not catered for age groups. Such as puppies vs. dogs, kittens vs. cats.

F9) No information can be found on behavioral tests because no records are kept about any tests conducted.

RECOMMENDATIONS

R1) The shelter can change it's operating hours. Close to the public on one of the operating days and open on Saturday for 4 hours. Also change the hours on one of the weekdays to 3pm-7pm. Thus catering to the public's differentiating work schedules.

R2) Keep animals longer than the mandatory time of 5 days not counting impoundment. Do not euthanize animals until you are near full capacity.

R3) Reach out on social media and adoption events for volunteers to apply. Changing the hours of the shelter (as in R1) may also be an easier schedule for volunteers. Keeping animals longer than the minimum (as in R2) may help the volunteers stay on longer. An increase in volunteers could lighten the work load for the officers at the shelter.

R4) Hire a veterinarian to perform the euthanizations on-site when needed so that officers are not responsible for the task or under stress from this task.

R5) Seek out ways to hold adoption events at local businesses or pet stores. Utilize the trailer more often to seek potential adopters at these events.

R6) Weigh animals prior to euthanasia to ensure a humane death. If this isn't possible, use a very overestimated dose of Fatal Plus Solution. We recommend that the shelter have a veterinarian perform euthanasia on-site since they are medically more qualified and so that the officers would not have to perform this duty or at the very least not as often (as in R4).

R7) The shelter needs to employ an animal behaviorist or have officers in training for animal behavior.

R8) Acquiring a Behavioral Checklist with specific age groups. A puppy can nip and bite because it is a normal stage in puppy behavior on the other hand a full grown dog can nip and bite and would be signs of aggression thus providing the need for a behavioral checklist that is catered to the specific age groups of animals.

R9) The shelter needs to have, use and record the records from the behavioral tests conducted on all animals.

RESPONSE REQUIRED

The California Penal Code 933(c) and 933.05 requires a response to findings and recommendations made in the final report be delivered to the presiding Judge of the Superior Court. Affected agencies must respond to all relevant findings and recommendations.

The affected agencies are:

City of Hollister City Council

City of Hollister Police Department

San Benito County Board of Supervisors

THE SAN BENITO COUNTY JUVENILE HALL
SAN BENITO COUNTY CIVIL GRAND JURY REPORT
2016-2017

SUMMARY

The San Benito Civil Grand Jury formed a committee and conducted an investigation into the San Benito County Juvenile Hall. The Grand Jury has looked in-depth at some areas that could be improved upon to possibly help the Juvenile Hall operate more efficiently.

BACKGROUND

The Juvenile Hall is located at 708 Flynn Rd, Hollister, Ca. 95023. It is a division of the San Benito County Probation Department.

Juvenile Hall provides detention services for delinquent youth who pose danger to themselves or others and who are ineligible for placements offering a lesser degree of restrictiveness. Juvenile Hall also offers mandated levels of programming, including group work, education, recreation, counseling and medical services.

Each year the Grand Jury performs a state-mandated inspection of Juvenile Hall to ensure that it is operating safely, securely and effectively.

METHODOLOGY

A committee of the Grand Jury visited Juvenile Hall on February 21, 2017 to tour the facility and interview on-site staff and in-custody youth. Additionally members of the committee interviewed on-site staff on February 20, 2017 and March 31, 2017. The committee also reviewed the following documents. All documents requested were turned over to the Grand Jury in a timely manner.

Documents

Juvenile Hall : Policy & Procedure Manual

Environmental Health Evaluation : Juvenile Hall

Nutritional Health Evaluation : Juvenile Hall

Aramark : Menu of all meals for the month

Standards and Training for Corrections (STC) Program Monitoring Worksheet

Board of State and Community Corrections Report

County of San Benito : Emergency Operations Plan

Special Incident Reports (January- December 2016)

San Benito County Alternative Education Programs : Juvenile Hall - Academic Plan

Recommended Budget Report for Juvenile Hall 2016-2017

DISCUSSION

Juvenile Hall Personnel

Juvenile Hall Facilities

Juvenile Hall In-Custody Youth

Food Services

Medical Services

Mental Health

Educational Services

In-Custody Youth Programs

Juvenile Hall Personnel

The Juvenile Hall Superintendent is responsible for the overall management of the facility, personnel and in-custody youth. There are 4 Juvenile Institution Officer (JIO) Supervisors that supervise personnel, in-custody youth and daily operations. Additionally there are 5 Juvenile Institution Officers (JIO) that supervise in-custody youth and assist in daily operations. At the time of our last visit in March 2017 there was one open JIO position. Officers work 12 hour shifts consisting of 84 hours over a 2 week period. There are 3 officers during the day and 2 officers at night. Day and night shifts are rotated every 6 months. Part time employees cover vacation and other staff shortages. The facility also had not had an office assistant position filled for the past year. That position was filled in early April.

Juvenile Hall Facilities

The Juvenile Hall includes a lobby with metal detector, intake area with bathroom, administrative offices, courtroom, visitation room, control room, medical office, classroom, day room, sleeping cells, showers, storage room and a laundry room. The interior of the facility was recently painted. The carpet is worn throughout the facility and is torn in the courtroom. Outside there is a fenced in recreation area with basketball courts and a grass field. There are plans to pave over the grassy area due to the extensive gopher damage as noted in prior Grand Jury reports. There is no maintenance staff, cleaning; routine facility maintenance and laundry is taken care of by JIOs and in custody youth. Major repairs are handled by Public Works or go out to bid to outside vendors. Administrative areas are small but neat

and well organized. Overall, the facility is neat, clean and provides a safe environment for the youth housed here.

In-Custody Youth

The Juvenile Hall provides housing for youth up to age 18 and can house up to 28 in-custody youth but is restricted to 20 because of current staffing levels. On average the in-custody youth population is between 7 and 11 youth. At the time of our tour there were 7 youths in custody. The three most common charges that bring a youth in are: Violation of probation, battery and resisting and obstructing or delaying a law enforcement officer.

When a youth is brought to the detention facility a detention risk assessment is performed. The assessment is an objective point system that determines if a youth remains at Juvenile Hall or is released. Extra meals are stored in the intake area and available at time of intake if requested. The youth's identity is verified through the probation department or parent. The facility does not check a youth's legal status.

Visits are limited to parents and grandparents, special visits must be approved by the Superintendent. There is phone access at intake and during recreation time using tokens or prepaid cards.

Youths observed during Grand Jury visits were dressed in clean uniforms consisting of khaki pants and collared polo shirts. Youths in the facility understood the rules including how to file a grievance and request to see the nurse. Youths are rewarded for good behavior with a token system. Tokens can be redeemed for various awards including, handball, recreation time and telephone usage. As in prior Grand Jury reports issues with food quality and quantity were still an issue at the time of our tour.

Food Services

At the beginning of our term the Juvenile Hall and County Jail shared a food services contract with Aramark. The menu was catered for ages 19-50 and a total of 2600 calories per day. Aramark would deliver to the County Jail and then meals were transferred to the Juvenile Hall. Upon arrival the food was inspected by Juvenile Hall personnel, many times they made note of the poor quality, missing items or deviation from the scheduled menu. This in-turn caused many grievances to be filed by in-custody youth.

The Juvenile Hall Superintendent has since renegotiated with Aramark to find a solution to these issues. As of March 2017, Aramark is now providing a daily menu compliant with the nutrition standards in the National School Lunch and School Breakfast Programs for grades 9-12 with a total of 2800 calories per day. This menu includes breakfast, lunch, dinner and an evening snack. Food deliveries are now made to the Juvenile Hall before the County Jail. Personnel also purchase additional food from Costco to provide mid-morning snacks.

Medical Services

Juvenile Hall contracts with a medical provider CFMG (California Forensic Medical Group). There is a nurse Monday thru Friday for 4 hours a day. A physician is available by phone when the nurse is not on duty. Youths can fill out a slip to see the nurse usually during class. The nurse will see or speak to any youth that fills out a slip. The common conditions seen are aches and pains, dehydration, headaches and mental health issues. Youths also come in for emotional support. The nurse has standing orders to treat most ailments and a doctor who is also contracted with CFMG is on call 24 hours for other matters. There is a medical file kept on each youth in custody. The nurse's office is very small but contains an exam table and everything needed to provide routine care and is well organized.

Mental Health

Four of the seven youths in custody during the Grand Jury visits were being treated for mental health issues. There is no contract with CFMG for mental health care. Juvenile Hall staff use the County Mental Health Department for mental health evaluations. Youths are taken to the county facility for evaluation. Any medications that are prescribed are given by the nurse while she is on duty and staff provide medication during other times.

Educational Services

Youths are required to attend school 4 hours per day Monday-Friday. The classroom is staffed with one teacher and 1 JIO. The principal oversees 4 facilities and is at the Juvenile Hall school generally once per week. The teacher is employed by the County Office of Education. There is a formal Academic Plan that has been developed by the San Benito County Alternative Education Program. Youths are enrolled in independent study at their current grade level based on results of Star 60 testing. The teacher develops individual lesson plans based on each youth's needs. Physical Education is not included in lesson plans but regular stretching is done every 30 minutes. Physical education is provided by the YMCA three times per week. There are currently no vocational programs available. During the Grand Jury tour, youths were observed in the classroom working quietly. Youths sat at large tables in groups but working independently. The teacher was actively engaged. Youths raised their hands for assistance and were respectful of others. The classroom is small and does not hold all the school supplies or books but is bright with student artwork representing the current holiday season. There were computers in the classroom. Because of recent inappropriate use, the computers were not being used at the time of our visit. Although limited computer use was going to be allowed again soon with increased monitoring.

Youths transcripts are updated and sent back to the Department of Education so in-custody youth receive credit for attending school, youths also receive tokens for attending school.

In Custody-Youth Programs

The Grand Jury reviewed the many programs available to youths. The Juvenile Hall Administration has added programs and enhanced existing programs. During our interviews it was expressed to the Grand Jury how valuable and worthwhile these programs are.

Religious services are held on Wednesday evening and youth ministries on Sunday. Youth can also request services from a church of their denomination.

The YMCA provides physical education to youths on Monday, Wednesday and Friday each week, activities include Frisbee, soccer and flag football.

Juvenile Hall has partnered with the US Tennis Association to provide a program that teaches the value of following the rules of the game of tennis. This is the only program of its kind in the state and is available twice per week to youths.

Teen recovery is a weekly program focused on drug and alcohol addiction and recovery. There is also a Behavioral Health meeting available to youths once per week. Youths receive tokens for attending these programs.

Sacred Rock is a program available to youths on good standing with no behavioral issues. Approximately once a month a hiking day trip to Pinnacles National Monument is arranged through this program. This trip also inspires art projects the Grand Jury viewed some of this artwork during the visit on February 20, 2017.

Other programs available to youths are life skills, journaling, dance and poetry. The San Benito Arts Council worked with youths last year to create a large mural that is in the day room.

FINDINGS

F1) The shower head in the intake area is unsafe. Showers in the intake area and main housing area lack privacy. A JIO needs to be able to see the head and feet of a youth in the shower. Each shower currently has a full door and there is a small window with a cover that can be opened to monitor the youth, however, there is no interior shower door to provide some privacy.

F2) Carpeting is worn and also torn. The torn area in the courtroom is a trip hazard.

F3) It was noted that 5 of 7 youths at the facility during the Grand Jury tour had mental or behavioral health issues. Juvenile Hall currently uses the County Health Department to provide treatment for mental health issues. This is done off-premise and youths must be transported to care and back to the facility.

F4) There are no vocational studies programs currently available at Juvenile Hall. Although there is a gardening/agricultural program being developed, it lacks funding for infrastructure.

F5) As mentioned in prior Grand Jury reports. The grass area is full of gopher holes and is unsafe for youth to use. Plans have been drawn up to remedy this on-going issue and funding was approved, however, this project is now on hold due to a lack of resources.

RECOMMENDATIONS

R1) Replace the shower head in the intake area. Install either shower curtains that leave the youths head and feet exposed or install actual shower doors that provide the same level of security while allowing for youth modesty.

R2) Replace carpeting throughout the facility to either a durable slip resistant surface or an industrial carpet designed for the high foot traffic.

R3) Work with CFMG to add mental health to the juvenile hall health contract to ensure timely and adequate response to mental health issues at Juvenile Hall.

R4) Develop a vocational education program. Seek out county funding or private funding to start the gardening program and continue development of other vocational programs.

R5) Provide the resources and maintain the funding to complete this vital project.

RESPONSE REQUIRED

The California Penal Code 933(c) and 933.05 requires a response to the findings and recommendations made in the final report be delivered to the Presiding Judge of the Superior Court. Affected agencies must respond to all relevant findings and recommendations.

The affected agencies are:

San Benito County Board of Supervisors
San Benito County Chief Probation Officer

THE SAN BENITO COUNTY JAIL
SAN BENITO COUNTY CIVIL GRAND JURY REPORT
2016-2017

SUMMARY

The San Benito Civil Grand Jury formed a committee and conducted an investigation into the San Benito County Jail. The Grand Jury has looked in-depth at various areas and finds that the Jail is operating efficiently.

BACKGROUND

The County Jail is located at 710 Flynn Rd, Hollister, Ca. 95023. It is a division of the San Benito County Sheriff's Department.

Each year the Grand Jury performs a state-mandated inspection of the County Jail to ensure that it is operating safely, securely and effectively.

METHODOLOGY

A committee of the Grand Jury visited the County Jail on November 4, 2016 to tour the facility and interview certain staff and inmates. Additionally members of the committee interviewed various staff on May 17, 2017. The Grand Jury also reviews documents relating to the County Jail. All documents requested were turned over to the Grand Jury in a timely manner.

FINDINGS

F1) The difference between a regular meal for an inmate and a meal for a pregnant inmate is minimal.

RECOMMENDATIONS

R1) Improve diet for pregnant inmates and to keep providing them prenatal vitamins as their right to obtain appropriate care to carry their pregnancy.

RESPONSE REQUIRED

The California Penal Code 933(c) and 933.05 requires a response to the findings and recommendations made in the final report be delivered to the Presiding Judge of the Superior Court. Affected agencies must respond to all relevant findings and recommendations.

The affected agencies are:

San Benito County Board of Supervisors
San Benito County Sheriff

All Reports were passed and adopted with at least 12 jurors on August 9, 2017.